



HAZARDOUS WASTE SMALL QUANTITY GENERATOR REQUIREMENTS IN NEW HAMPSHIRE



as provided in New Hampshire's Hazardous Waste Rules, Env-Wm 100-1000

- I. **SMALL QUANTITY GENERATOR (SQG) DEFINITION AS PER ENV-WM 503.01:** A SQG shall be any generator who, in each and every calendar month, generates less than:
 - A. 100 kg (220 lbs.) of hazardous waste;
 - B. 1 kg (2.2 lbs.) of an acutely hazardous waste; and
 - C. 100 kg (220 lbs.) of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill of any acutely hazardous waste.

- II. **REQUIREMENTS FOR HAZARDOUS WASTE GENERATORS:** Chapter Env-Wm 500 shall apply to all persons who generate hazardous wastes, including SQGs.
 - A. Hazardous Waste Determination as per Env-Wm 502.01: All generators of a waste shall determine if their waste is a hazardous waste.
 - B. Notification as per Env-Wm 504.01: All generators shall notify DES prior to conducting any hazardous waste activities covered under the Hazardous Waste Rules.
 - C. Identification Numbers as per Env-Wm 505.01: A generator shall not treat, store, dispose, transport, or offer a hazardous waste for transportation without having received an EPA identification number, or a provisional identification number.
 - D. Environmental and Health Requirements as per Env-Wm 506.01: While accumulating hazardous wastes, the generator shall not use storage practices that pose a hazard to human health or the environment.
 - E. Storage Requirements as per Env-Wm 507.01:

1. All hazardous waste shall be placed in appropriate containers or tanks and remain closed at all times except to add or remove waste.
 2. All hazardous waste shall be stored on impervious surfaces.
 3. All hazardous waste shall not be stored in areas with functional floor drains or manholes present or in or near a sink with a functional drain unless adequate secondary containment is provided.
 4. All hazardous waste stored outside shall be kept covered and shall not be stored within 50 feet of surface water.
- F. Storage Time Requirements as per Env-Wm 507.02: A generator may accumulate hazardous waste that is generated on-site without a permit provided that hazardous waste containers and tanks are managed accordingly and the wastes are shipped off-site within 90 days of the date when accumulation of the waste first began except as provided in Env-Wm 508.02, Env-Wm 508.03 and Env-Wm 509.03 or under the terms of a waiver or extension granted by DES.
- G. Packaging/Labeling/Pre-transport as per Env-Wm 507.03:
1. Containers and tanks used for the storage of hazardous wastes shall be clearly labeled or marked with the following information at the time they are first used to store wastes:
 - (a) The beginning accumulation date;
 - (b) The words "hazardous waste";
 - (c) Words that identify the contents of the container; and,
 - (d) The EPA or state waste number.
 2. Hazardous waste labels shall not be hidden by walls or other containers.
 3. Before transporting or offering hazardous waste for transportation off-site, the generator shall properly package the waste and mark and label each container in accordance with US Department of Transportation (DOT) regulations.
 4. Before offering hazardous waste for transportation off-site, the generator shall determine that the transporter is a registered NH hazardous waste transporter with an EPA ID number and that each vehicle is placarded with an appropriate warning of the hazardous waste contained therein in compliance with rules adopted by the New Hampshire Department of Safety.

H. Delivery Of Hazardous Waste As Per Env-Wm 511.01:

1. The wastes shall be transported off-site to an authorized facility, using an 8-part pre-numbered EPA/DOT uniform hazardous waste manifest, by:
 - (a) A registered transporter, in accordance with the manifest requirements of Env-Wm 510.
2. The SQG may self-transport up to 55 gallons of their own non-acutely hazardous waste to:
 - (a) An authorized facility, and the SQG meets the manifest requirements of Env-Wm 510 and Env-Wm 604.
 - (b) Another site that is owned and operated by the owner/operator of the SQG site if the second site has notified DES of this activity and counts the waste received towards its generator status.
 - (c) A household hazardous waste collection event only if the waste is given directly to a registered transporter, permission is obtained in advance from the government entity sponsoring the event and the SQG meets the manifest requirements of Env-Wm 510 and Env-Wm 604.

In all cases, the SQG must transport the waste in accordance with Env-Wm 601.02 (b) where the waste is transported in full, sealed, labeled containers which are compatible with the wastes received and meets DOT specifications and the SQG has a mechanism for financial responsibility in the case of an accident.

I. Recordkeeping and Reporting Requirements as per Part Env-Wm 512.01:

1. Generators shall keep manifest copies and copies of each quarterly activity report, exception report, notification of intent to export, EPA Acknowledgement of Consent, any test results, waste analyses, or other waste determinations, and any records of any hazardous waste spills or discharges, for at least three (3) years.
2. Quarterly-reports shall be submitted by generators as per Env-Wm 512.02. Generators who export hazardous waste shall file an annual report as per Env-Wm 512.03.

J. Emergency/Remedial Action as per Env-Wm 513.01 and Env-Wm 513.02:

1. Any discharge of hazardous water that poses a threat to human health or the environment resulting from a generator's activity shall be reported:
 - (a) Immediately to the DES at (603) 271-3899, Monday through Friday, 8 AM to 4 PM or the NH Department of Safety HAZMAT Unit at 1 (800) 346-4009, 24 hours/day; and
 - (b) Immediately to the municipality or other governmental subdivision in which the discharge occurs.
2. The generator shall comply with the emergency procedures as specified in 40 CFR 265.56;
3. The generator shall be responsible for the cleanup of any discharge of hazardous waste or hazardous material that becomes a hazardous waste within 24 hours. If the discharge cannot be cleaned up within 24 hours, the generator shall submit to the DES within five (5) days, a clean up plan, which provides for:
 - (a) The protection of human health and the environment;
 - (b) The removal and proper disposal of the contamination source;
 - (c) Confirmatory analysis of the potentially affected media; and
 - (d) Includes a timetable for completion of the clean up plan.

All clean up actions shall follow the requirements per Env-Wm 513.02.

III. **SQG REQUIREMENTS:** In addition to the requirements for hazardous waste generators, an SQG shall comply with the specific requirements applicable to them, which can be found in Env-Wm 508.

A. SQG Storage Requirements as per Env-Wm 508.02:

1. In addition to the requirements which apply to all hazardous waste generators, a SQG whose quantity of waste accumulated on-site never exceeds 100 kgs (220 lbs) of hazardous waste or 1 kg (2.2 lbs) of an acutely hazardous waste may accumulate hazardous waste on-site for an indefinite length of time without a permit provided the generator complies with the following requirements, such that:
 - (a) Spill control equipment is maintained at or near each waste storage area;

- (b) "No Smoking" signs are posted near ignitable wastes; and
- (c) A minimum of 2 feet aisle space is maintained at each waste storage area.

B. SQG Extended Quantity and Storage Provision as per Env-Wm 508.03:

- (1) SQGs may accumulate up to 1000 kgs or 2200 lbs of non-acutely hazardous waste on site for an indefinite length of time without a permit provided they comply with the requirements for all hazardous waste generators and comply with following requirements:
 - (a) Hazardous waste containers and tanks are managed appropriately and inspected weekly and daily, respectively;
 - (b) The hazardous container is under the control of a designated hazardous waste manager/emergency coordinator or designee;
 - (c) An emergency coordinator is designated and available to take the responsibility for coordinating all emergency response measures at all times;
 - (d) The generator posts the name and telephone number of the emergency coordinator, emergency telephone numbers, and the location of emergency equipment next to the telephone nearest each hazardous waste storage area;
 - (e) The generator ensures that all employees are thoroughly familiar with proper waste handling and emergency procedures relevant to their responsibilities during normal facility operations and emergencies; and
 - (f) The generator complies with 40 CFR Part 265 Subpart C, Preparedness and Prevention, including maintaining spill control equipment and fire control equipment at or near each waste storage area, "no smoking" signs near ignitable wastes, and a minimum of 2 feet of aisle space shall be maintained to allow inspection of at least one side of each container.
 - (g) The hazardous waste is shipped off-site by a registered transporter to an authorized facility within 90 days of the date that the 1000 kg limit is reached;



ANSWERS TO SOME COMMONLY ASKED QUESTIONS

1. *Does a New Hampshire Small Quantity Generator (SQG) need to notify the State and obtain an EPA ID number?*

All generators shall notify the Waste Management Division (DES) prior to conducting any hazardous waste activities covered under New Hampshire's Hazardous Waste Rules, Env-Wm 100-1000. Regulations forbid a transporter or commercial facility from transporting or accepting wastes from any generator who has not obtained an EPA ID number.

2. *How much is 100 kilograms (kg)?*

100 kilograms equals 220 pounds. For most hazardous waste liquids that quantity is roughly equivalent to one third to one half of a 55-gallon drum. This might vary, however, depending upon the specific gravity of the liquid waste and the amount of sludge in the drum.

3. *Under New Hampshire's Hazardous Waste Rules, Env-Wm 100-1000, what requirements must a generator comply with in going from a Small Quantity Generator (SQG) (not utilizing the SQG Extended Quantity and Storage Provision, and storing less than 100 kg of hazardous waste) to a Full Quantity Generator (FQG)?*

In addition to the requirements of Env-Wm Parts 501 through 507 and Parts Env-Wm 510 through 512, FQGs shall comply with the accumulation and storage requirements in Env-Wm 509.02, which include:

(a) Env-Wm 509.02(a)(1), which references 40 CFR Part 265-15 - General Inspection Requirements;

(b) Env-Wm 509.02(a)(2), which references 40 CFR Part 265-16 Personnel Training;

(c) Env-Wm 509.02(a)(3), which references 40 CFR Part 265.17 - General Requirements for Ignitable, Reactive or Incompatible Wastes;

(d) Env-Wm 509.02(a)(4), which references 40 CFR Part 265 Subpart C Preparedness and Prevention;

- (e) Env-Wm 509.02(a)(5), which references 40 CFR Part 265 Subpart D Contingency Plan and Emergency Procedures;
- (f) Env-Wm 509.02(a)(6), which references 40 CFR Part 265 Subpart I Use and Management of Containers;
- (g) Env-Wm 509.02(a)(7), which references 40 CFR Part 265 Subpart J Tanks;
- (h) Env-Wm 509.02(b) - Emergency Postings; and
- (i) Env-Wm 509.02(c) - Security Measures For Outdoor Hazardous Waste Storage Areas.

4. *The Hazardous Waste Rule's 90-day storage limit may create a financial burden on companies that generate such small amounts of hazardous waste that a full drum is not usually accumulated within the 90-day period. It is costly to ship a partially-filled drum. How can a generator store its own hazardous waste on-site beyond the 90-day time limit, without a storage permit, in order to accumulate a full drum?*

An SQG may accumulate up to 1000 kgs of nonacutely hazardous waste on site for an indefinite period of time without a permit provided that they comply with the requirements of Env-Wm 508.02 or Env-Wm 508.03 Small Quantity Generator Extended Quantity and Storage Provision.

An FQG may accumulate as much as 55-gallons of hazardous waste or 1 quart of acutely hazardous waste in containers at or near any point of generation where wastes initially accumulate without a standard permit or interim status and without complying with the 90 day time limit specified in Env-Wm 507.02(a), provided the requirements of Env-Wm 509.03 Full Quantity Generator Satellite Storage Provision are met.

This Summary provides general information only. Should there be additional questions, please contact the New Hampshire Department of Environmental Services, Waste Management Division (DES) at (603) 271-2942. For a complete description of the requirements, refer to New Hampshire's Hazardous Waste Rules, Env-Wm 100-1000, which may be obtained by contacting the Public Information Center, Department of Environmental Services, at (603) 271-2975 or the website for the New Hampshire Department of Environmental Services at www.des.state.nh.us.